



**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
RUBEN MORENO,  
Defendant.

Case No. 5:18-CR-00115-JGB-1

ORDER OF DETENTION

[Fed. R. Crim. P. 31.1(a)(6);  
18 U.S.C. § 3143(a)(1)]

**I.**

On December 19, 2018, Defendant Ruben Moreno ("Defendant") made his initial appearance in this district on the Petition and Warrant for revocation of supervised release filed in the United States District Court for the Central District of California, Case No. 5:18-CR-00115-JGB-1. The Court appointed Deputy Federal Public Defender ("DFPD") Adithya Mani to represent Defendant. The parties stipulated to, and based thereon the Court ordered, the continuation of the detention hearing to December 21, 2018.

The Court conducted a detention hearing on December 21, 2018 based on a motion by the Government pursuant to 18 U.S.C. § 3143(a) in a case alleging that

1 the Defendant cannot establish by clear and convincing evidence that (a) he will  
2 not pose a danger to any other person or to the community, and (b) that he will not  
3 flee.

## 4 5 II.

6 The Court finds that the burden of establishing by clear and convincing  
7 evidence that Defendant will not flee or pose a danger to any other person or to the  
8 community rests with Defendant. The Court also finds that Defendant has not met  
9 his burden.

10 The Court finds that no condition or combination of conditions will  
11 reasonably assure: ☒ the appearance of the defendant as required.

12 ☒ the safety of any person or the community.

13 The Court bases its conclusions on the following:

14 As to risk of non-appearance:

- 15 • Insufficient and/or not viable sureties for bond;
- 16 • Lack of prior compliance with supervised release;
- 17 • Multiple drug failure tests;
- 18 • Pending warrant (Riverside County).

19  
20 As to danger to the community:

- 21 • Criminal history;
- 22 • Admitted substance abuse;
- 23 • Pending warrant (Riverside County).

## 24 25 III.

26 In reaching this decision, the Court considered: (a) the nature and  
27 circumstances of the offense(s) charged, including whether the offense is a crime  
28 of violence, a Federal crime of terrorism, or involves a minor victim or a controlled

1 substance, firearm, explosive, or destructive device; (b) the weight of evidence  
2 against the defendant; (c) the history and characteristics of the defendant; and  
3 (d) the nature and seriousness of the danger to any person or the community. [18  
4 U.S.C. § 3142(g).] The Court also considered the report and recommendation of  
5 the U.S. Pretrial Services Agency.

6  
7 V.

8 IT IS THEREFORE ORDERED that the Defendant be detained pending  
9 further proceedings. Upon availability of placement in a live-in substance abuse  
10 program, Defendant is released on his own recognizance to the supervision of the  
11 U.S. Probation Office and ordered to commence attendance in the live-in substance  
12 abuse program. Upon completion of the program, Defendant is ordered again  
13 detained pending further proceedings.

14  
15  
16 Dated: December 26, 2018

17 \_\_\_\_\_/s/\_\_\_\_\_  
HON. MARIA A. AUDERO  
UNITED STATES MAGISTRATE JUDGE